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DEC 0 7 2004

No. 0254 P. 1

Docket No. CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Eric W. McFarland 500451-1005 Examiner **Group Art Unit** Application No. Filing Date 10/750,015 12/31/03 Alan D. Diamond 1753 Invention: APPARATUS AND METHOD FOR PHOTOVOLTAIC ENERGY PRODUCTION BASED ON INTERNAL CHARGE EMISSION IN A SOLID-STATE HETEROSTRUCTURE I hereby certify that this Amendment After Final (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 1-703-872-9306 12-7-04 (Date) Valeria Carey (T)med or Printed Name of Person Signing Certificate) Note: Each paper must have its own certificate of mailing.

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No. 0254 P. 2

DEC 0 7 2004

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 500451-1005	
In Re Application Of: Eric W. McFarland					
Application No. 10/750,015	Filing Date 12/31/03	Examiner Alan D. Diamond	Customer No. .38406	Group Art Unit 1753	Confirmation No. 9328
Title: APPARATUS AND METHOD FOR PHOTOVOLTAIC ENERGY PRODUCTION BASED ON INTERNAL CHARGE EMISSION IN A SOLID-STATE HETEROSTRUCTURE					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is: Amendment After Final					
in the above identified application.  No additional fee is required.  A check in the amount of is attached.  The Director is hereby authorized to charge and credit Deposit Account No. 50-0856 as described below.  Charge the amount of Credit any overpayment.  Charge any additional fee required.  Payment by credit card. Form PTO-2038 is attached.  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card Information and authorization on PTO-2038.					
TYLICHAU	Signature		Dated: 12-7-4	04	į
Michael A. O'Neil Michael A. O'Neil, F 5949 Sherry Lane, S Dallas, TX 75225			deposited with sufficient postag addressed to the 1450, Alexandria, (Date)	e as first class ne "Commissioner fo VA 22313-1450" [3	Postal Service with nall in an envelope r Patents, P.O. Box 7 CFR 1.8(a)] on
CC; client	Signature of Person Mailing Correspondence  Typed or Printed Name of Person Mailing Correspondence				

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500451-1005 PATENT

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:

Eric W. McFarland

Serial No.:

10/750,015

Filing Date:

December 31, 2003

Group No.:

1753

Examiner:

Alan D. Diamond

For:

APPARATUS AND METHOD FOR PHOTOVOLTAIC ENERGY PRODUCTION BASED ON INTERNAL CHARGE EMISSION IN A

SOLID-STATE HETEROSTRUCTURE

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

#### AMENDMENT AFTER FINAL

Responsive to the Final Office Action mailed December 2, 2004, in the above-captioned application, kindly amend the application as follows:

Cancel claims 97, 98, 99, 100, 101, 102, 105, 107, 109, 110, and 127.